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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/698,274	10/30/2000	Shinya Yamaguchi	520.39251X00	6630

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EXAMINER

ABRAHAM, FETSUM

ART UNIT	PAPER NUMBER
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2826

DATE MAILED: 03/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Serial Number: 09/698,274

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Art Unit: 2826

RESTRICTION REQUIREMENT

Restriction to one of the following inventions is required under 35 U.S.C. § 121:

I. Claims 1-7,9,10-12,16-18,26 a device, classified in Class 257, subclass 255.

II. Claim 26, drawn to a method of making a device, classified in Class 438, subclass 149.

Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MEP. § 806.05(f)). In the instant case, the undefined gate insulation material, crystallizing metal agent could have been one of the many available material choices in the technology. This would mean a nitride or oxide or oxynitride for the gate insulation layer, and one of the known metals from Co, Ni, Cu, Pd, Au and etc. The restriction is based on the fact that an alternate material is available for a choice of material by the applicant.

Because these inventions are distinct for the reasons given above and as shown by the above different classifications, the fields of search are not co-extensive and separate examination would be required for examination purposes and the restriction requirement as indicated is proper.

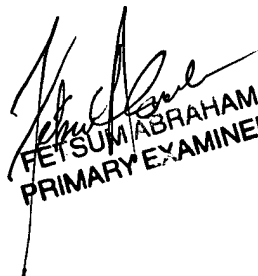
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Any inquiry concerning this communication should be directed to Fetsum Abraham at telephone number (703) 305-3793.

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11/07/00


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